

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:17-CT-3036-D

ARTHUR JAY GOULETTE,

Plaintiff,

v.

DR. VINCENT P. WILSON and DR.
PAULA SMITH,

Defendants.

ORDER

On February 4, 2019, Magistrate Judge Numbers issued a Memorandum and Recommendation ("M&R") [D.E. 83] and recommended denying defendant Dr. Paula Smith's ("Smith") motion for judgment on the pleadings [D.E. 64]. No party objected to the M&R.

"The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge's report or specified proposed findings or recommendations to which objection is made." Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (emphasis, alteration, and quotation omitted); see 28 U.S.C. § 636(b). Absent a timely objection, "a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Diamond, 416 F.3d at 315 (quotation omitted).

The court has reviewed the M&R and the record. The court is satisfied that there is no clear error on the face of the record. Accordingly, the court adopts the conclusions in the M&R [D.E. 83].

In sum, the court adopts the conclusions in the M&R [D.E. 83] and DENIES Smith's motion for judgment on the pleadings [D.E. 64].

SO ORDERED. This 18 day of February 2019.

J. Dever
JAMES C. DEVER III
United States District Judge